**PATENT** 

Appl. No. 10/822,300

Amdt. dated October 29, 2007

Amendment under 37 CFR 1.116 Expedited Procedure

Examining Group 1644

**REMARKS** 

Claim 3 has been amended to delete reference to 95% sequence identity and claim

41 rendered redundant by this amendment has been canceled. No amendment should be

construed as acquiescence in any ground of rejection. Applicants respond to the Examiner's

comments using the paragraph numbering of the office action.

3. Claims 32 and 33 have been indicated as cancelled as requested.

6-7. Claims 3, 6-8, 40 and 41 stand rejected for alleged lack of enablement based

on the recitation of at least 95% sequence identity. Applicants disagree with the Examiner for

the reasons previously given. Nevertheless, claim 3 has been amended to remove reference to

95% sequence identity mooting the rejection.

There being no more claims outstanding, it is respectfully submitted that the

application is in condition for allowance.

If the Examiner believes a telephone conference would expedite prosecution of

this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

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Attachments JOL:sjj

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